IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 4TH OCTOBER 2007 / 12TH ASWINA 1929

WP(C).No. 29320 of 2007(M)

PETITIONER:

N.S.RAJENDRAN, S/O N.SANKARANKUTTY
MENON, CONVENOR, NAMMANNARIL SRI RUDHIRAMALA
BHAGAVATHY KSHETHRAM, KARICODE,
P.O.MULANTHURUTHY, ERNAKULAM DISTRICT.

BY ADV. SRI.S.SHYAM

RESPONDENTS:
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1. SUB INSPECTOR OF POLICE,
MULANTHURUTHY POLICE STATION,
MULANTHURUTHY.

2. STATE OF KERALA, REPRESENTED BY
THE SECRETARY, HOME DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVT. PLEADER, SRI.SALIM.P.A.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR &

T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C) NO. 29320 OF 2007-M

Dated 4th October, 2007.

JUDGMENT

Balakrishnan Nair, J.

The petitioner is one of the owners of a private temple. Some portion of the temple properties is lying vacant. The owners decided to plant rubber there. When, for the said purpose, they tried to level the ground using J.C.B., a few persons in the locality came to the site and obstructed the levelling of the ground. They also abused the workers and the owners of the temple. Therefore, Ext.P1 representation was filed before the police, seeking protection for levelling the ground and thereafter, this writ petition is filed, seeking appropriate reliefs.

2. We notice that in Ext.P1 representation, the petitioner has not specified the names of the persons who caused the obstruction. In the writ petition they are not impleaded also. In view of the above position, no relief

could be granted to the petitioner. Apart from that, against the trespass, the petitioner can move the civil court and get appropriate reliefs. In the result, the writ petition is dismissed.

K.BALAKRISHNAN NAIR, JUDGE.

T.R.RAMACHANDRAN NAIR, JUDGE.

Nm/